

[Proposed] NOTICE OF COLLECTIVE ACTION OVERTIME PAY LAWSUIT

Marie McGonegle, et al. v. Union Institute and University, et al.

Case No. 1:23-cv-00199

United States District Court, Southern District of Ohio, Western Division

TO: All persons who worked for Union Institute and University, were not paid the minimum wage for work performed after February 24, 2023, and/or were not timely paid on any one or more pay dates after February 24, 2023.

A lawsuit has been filed against Union Institute and University; its Board of Directors; Board Members Edgar L. Smith, Jr., Dr. Jeffrey M. Shepard, Donald Feldman, Roger Allbee, Karen Biestman, Dr. Gladys Gossett Hankins, Dr. Edwin C. Marshall, Christine Van Duelman; and its President, Dr. Karen Shuster Webb, to recover damages for violations of federal law. You must decide whether you would like to be a part of this Collective Action. Please read this Notice carefully, as your rights may be affected by how you proceed.

BASIC CASE INFORMATION

Plaintiff Marie McGonegle is an employee of Union Institute and University who has brought this action on behalf of all persons who have worked for Union Institute and University at any point after February 24, 2023, were not paid the minimum wage for work performed after February 24, 2023, and/or were not timely paid on any one or more pay dates after February 24, 2023.

The United States District Court for the Southern District of Ohio has determined that there is a strong likelihood that you are similarly situated to the Plaintiff in this action and has approved your receiving this Notice. However, no determination has been made at this time that you are, or are not, owed any damages. The decision of whether or not to participate in this lawsuit is yours. Please note that the law prohibits retaliation, in any form, against anyone who participates in this litigation.

If you wish to participate in this Collective Action, you **must** file a written "Consent to Sue" Form. A "Consent to Sue" Form is enclosed for your convenience. If you do not sign and then either email, mail, or fax the "Consent to Sue" Form by [60 days after mailing], you may not be permitted to seek recovery of any damages in this case.

**THE LAST DAY TO DELIVER THE CONSENT TO SUE FORM IS
[60 days after mailing]**

**IF YOU WISH TO RAISE CLAIMS UNDER FEDERAL LAW, YOU MUST DO ONE
OF THE FOLLOWING:**

1. MAIL THE ENCLOSED CONSENT TO SUE FORM TO:

**FINNEY LAW FIRM, LLC
c/o Matthew S. Okiishi, Esq.
4270 Ivy Pointe Blvd., Suite 225
Cincinnati, Ohio 45245**

2. FAX IT TO (513) 943-6669 OR

3. EMAIL IT TO matt@finneylawfirm.com

You have the right to consult with an attorney about this matter, and to be represented by an attorney of your choice. You may also choose to be represented by the following attorneys, who brought this action on behalf of named Plaintiff Marie McGonegle, and who are seeking to litigate this case on behalf of all similarly-situated employees.

Matthew S. Okiishi, Esq.
FINNEY LAW FIRM, LLC
4270 Ivy Pointe Blvd., Suite 225
Cincinnati, Ohio 45245
(513) 943-6659
(513) 943-6669 (fax)
matt@finneylawfirm.com

You will not be required to pay any fee for services provided by Class Counsel, except that a portion of any recovery may be approved by the Court as fees. If there is a recovery in this action, Class Counsel intends to apply to the Court for an award of attorneys' fees and reimbursement of reasonable costs and disbursements from Defendants at the conclusion of this case. If you opt-in as a Plaintiff, you may be required to participate in written discovery by answering questions and providing documents, and you may be required to appear for deposition and/or to testify at a hearing and/or trial.

THIS NOTICE AND ITS CONTENTS HAVE BEEN AUTHORIZED BY THE UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF OHIO, THE HONORABLE DOUGLAS R. COLE, U.S. DISTRICT JUDGE. THE COURT HAS NOT RULED ON THE MERITS OF THE CASE AND DOES NOT TAKE A POSITION ON WHETHER ANY POTENTIAL PLAINTIFF SHOULD OR SHOULD NOT JOIN THE LAWSUIT.

YOUR OPTIONS IN THIS NOTICE	
To raise overtime claims under Federal law	Fill out the Consent to Sue Form and return it by email, fax, or regular mail to the lawyers within 60 days.
To not participate in this case	Do nothing.

CONSENT TO JOIN COLLECTIVE ACTION
Fair Labor Standards Act of 1938
29 U.S.C. § 216(b)

I am/was employed at Union Institute and University as an employee.

Pursuant to Section 16(b) of the Fair Labor Standards Act, I hereby consent to be a party plaintiff in the collective actions brought in United States District Court for the Southern District of Ohio entitled Marie McGonegle v. Union Institute and University to recover unpaid wages, overtime wages and other sums owing to me and to other, similarly-situated employees under the Fair Labor Standards Act [29 U.S.C. §§ 201-219], and other applicable federal and state laws. I hereby authorize FINNEY LAW FIRM to pursue any claims I may have, including such litigation as may be necessary, and I hereby consent, agree, and option to become a plaintiff herein and to be bound by any settlement of this action or adjudication by the Court.

Date Signed

Signature

Print Name

Address

City

State

Zip

Telephone Number

E-Mail Address

To join the collective action, you must complete this consent form, sign your name where indicated, and
send it by email, mail, or fax to one of the following:

Matthew S. Okiishi, Esq.
FINNEY LAW FIRM, LLC
4270 Ivy Pointe Blvd., Suite 225
Cincinnati, Ohio 45245
(513) 943-6659
(513) 943-6669 (fax)
matt@finneylawfirm.com